

§ 20.1102 Petitions to set aside a decision and provide a hearing.

(a) If no hearing is held on a class II civil penalty complaint, any interested person may file a petition, within 30 days after the issuance of the order, asking the Commandant to set aside an order assessing or denying a civil penalty and to provide a hearing.

(b) If the Commandant decides that evidence presented by the interested person in support of the petition is material and was not considered in the issuance of the decision, the Commandant sets aside the decision and directs that a hearing be held in accordance with the requirements of this part.

(c) If the Commandant denies a hearing requested under this section, the Commandant provides to the interested person, and publishes in the FEDERAL REGISTER, notice of and the reasons for the denial.

§ 20.1103 Availability of decisions.

(a) Copies of decisions made in the adjudication of class II civil penalties are available for inspection and copying at—

(1) The document inspection facility at any Coast Guard District office; or

(2) The Coast Guard Headquarters Hearing Docket Office Public Reading Room.

(b) Requests for a copy of a decision may be made to the Hearing Docket Clerk. The person requesting a copy will be billed for the copying costs in accordance with 49 CFR 7.93.

PART 23—DISTINCTIVE MARKINGS FOR COAST GUARD VESSELS AND AIRCRAFT

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AUTHORITY: Secs. 638, 639, 63 Stat. 546; 14 U.S.C. 638, 639, E.O. 10707, 3 CFR, 1954–1958 Comp., p. 364.

§ 23.01 Basis and purpose.

(a) This subpart establishes instructions for the display of distinctive markings of Coast Guard vessels and aircraft, including Coast Guard ensign and commission pennant and Coast Guard emblem.

(b) Coast Guard vessels and aircraft are distinguished from other vessels and aircraft by an ensign; a personal flag, command pennant, or commissioned pennant, if so authorized; or other identifying insignia or marking.

[CGFR 57–35, 22 FR 6765, Aug. 22, 1957, as amended by CGFR 66–67, 31 FR 15239, Dec. 6, 1966]

§ 23.05 Where and when displayed.

(a) The Coast Guard Ensign is a mark of authority and is required to be displayed whenever a Coast Guard vessel takes active measures in connection with boarding, examining, seizing, stopping or heaving to of a vessel for the purposes of enforcing the laws of the United States. The distinctive markings of Coast Guard aircraft serve the same purpose.

(b) The Coast Guard Commission pennant indicates a Coast Guard cutter under the command of a commissioned officer or commissioned warrant officer.

(c) When applicable, these distinctive marks shall be displayed, the Coast Guard Ensign at the masthead of the foremast, and the commission pennant at the after masthead. On ships having but one mast the Coast Guard Ensign and commission pennant shall be at the masthead on the same halyard. In mastless ships they shall be displayed from the most conspicuous hoist.

[CGFR 67–26, 32 FR 6576, Apr. 28, 1967]

§ 23.10 Coast Guard emblem.

(a) The distinctive emblem of the Coast Guard shall be as follows:

On a disc the shield of the Coat of Arms of the United States circumscribed by an annulet edged and inscribed "UNITED STATES COAST GUARD 1790" all in front of two crossed anchors.

(b) The emblem in full color is described as follows:

White anchors and white ring all outlined in medium blue (Coast Guard blue), letters